

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

GUADALUPE DIAZ, ET AL.,	)	
	)	
Plaintiffs,	)	
	)	CIVIL ACTION NO.
VS.	)	
	)	3:05-CV-2084-G
THE CITY OF DALLAS, ET AL.,	)	
	)	ECF
Defendants.	)	

**MEMORANDUM OPINION AND ORDER**

Before the court is the motion of the defendants to extend the time allotted to designate expert witnesses and to file dispositive motions. The request to extend the dispositive motions deadline -- currently set for July 27, 2007 -- by two weeks is not opposed. Accordingly, the court will grant the request. The defendants' motion to extend the deadline to designate expert witnesses -- currently set for August 2, 2007 -- is opposed.

The defendants contend they need an extension to designate rebuttal experts because they must inspect a vehicle previously owned by one of the plaintiffs before they can obtain an expert to rebut the testimony of one of the plaintiffs' experts. *See*

Defendants' Motion for Extension of Deadlines for Disclosure of Experts and Dispositive Motions, and Brief in Support ("Defendants' Motion") at 6. Thus, the defendants ask the court to extend the deadline for rebuttal experts until "at least two weeks after Defendants have had an opportunity to inspect Mr. Diaz's truck" and to depose the plaintiffs' three experts. *Id.* at 7.

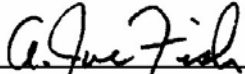
The plaintiffs counter that the defendants have previously inspected and photographed the truck and that plaintiffs' counsel has informed the defendants of the location of the truck so that they can conduct any additional examination. Plaintiffs' Response to Defendants' Motion for Extension of Deadlines for Disclosure of Experts and Dispositive Motions at 5-6. Moreover, the plaintiffs note that the defendants have made no attempt to schedule depositions of the plaintiffs' experts. *Id.* at 3-4, 5.

With these facts in mind, the court does not believe an indefinite extension is warranted. It is clear that from the facts reported by the parties that the defendants have already had "the opportunity to inspect Mr. Diaz's truck and take [the experts'] oral depositions." Defendants' Motion at 7. They have, however, failed to take advantage of that opportunity. Even so, the court will extend the deadline by two weeks -- the amount of time requested on the first page of the defendants' motion. Accordingly, the deadline for filing dispositive motions is **RESET to August 10**,

2007, and the deadline for designating rebuttal experts is **RESET** to **August 16, 2007**.

**SO ORDERED.**

July 26, 2007.

  
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A. JOE FISH  
CHIEF JUDGE